



TSC Engineering Company

RECEIVED
FEC MAIL
OPERATIONS CENTER

2005 JAN -3 A 10: 31

BULK FILE

December 30, 2004

Ms. Kim Stevenson
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR5627

Dear Ms. Stevenson:

I am in receipt of your letter of December 15th, 2004 regarding the complaint of Mr. Michael Lewis regarding the political action committee of TSC Engineering Company ("TSC") (the "Letter"). In the Letter you ask for the submission of materials that are relevant to the allegations of Mr. Lewis in his complaint (the "Complaint"). I believe the following information is relevant to the allegations made in the Complaint:

1. The only political action committee sponsored by TSC is the "TSC Engineering and TSC Surveying PAC Fund" a Texas political action committee with account number 00051975 (see Attachment 1) with its treasurer appointed on January 10, 2002 (the "Fund").
2. TSC does not sponsor a Federal political action committee and the Fund has never contributed to a Federal candidate or committee. The Fund's reports are all available online at www.ethics.state.tx.us and copies of which are attached hereto as Attachment 2.
3. Payroll deduction is a permissible method of collecting contributions. Please see Texas Ethics Advisory Opinion No. 217 attached hereto as Attachment 3.
4. Section 252.003 of the Texas Election Code, attached hereto as Attachment 4 provides that the name of each corporation who directly establishes, administers or controls a political action committee must be included in the name of the committee. Please note that the Fund's name contains the name of both TSC Engineering and TSC Surveying, the entities that control the Fund.

Because the fund is not a Federal political action committee (see Attachment 1) and has not contributed to any Federal candidates or committees (see Attachment 2) and there is no allegation of any violation of Federal campaign finance law in the Complaint, I believe the Federal Election Commission does not have jurisdiction over the Fund and this matter should be dismissed. Further, as you can see in Attachment 3, payroll deduction is a permissible method of

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2005 JAN -3 A 11: 59

0206174092

Ms. Kim Stevenson
Federal Election Commission
December 30, 2004
Page 2

collection of contributions at Texas state law and the Fund has also complied with Texas State law regarding the notification of the entities who control the Fund by including such names in the name of the Fund. Therefore, because of the foregoing reasons, I respectfully request that you dismiss the matter.

Sincerely yours,



Terence S. Cheng

Enclosures

TSC/rp

Enclosures

DUE TO THEIR BULK, THE CAMPAIGN FINANCE REPORTS ATTACHED TO
THIS RESPONSE, HAVE BEEN REMOVED FROM THE FILE.

26044130222